

HOUSE No. 2014

The Commonwealth of Massachusetts

PRESENTED BY:

James E. Vallee

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act providing a simplified procedure for municipal acceptance of subdivision roads.

PETITION OF:

NAME:

James E. Vallee

DISTRICT/ADDRESS:

10th Norfolk

[SIMILAR MATTER FILED IN PREVIOUS SESSION

SEE HOUSE, NO. 1999 OF .]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT PROVIDING A SIMPLIFIED PROCEDURE FOR MUNICIPAL ACCEPTANCE OF SUBDIVISION ROADS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority
of the same, as follows:*

1 In any city or town which accepts this section, the procedure hereinafter set out shall be the exclusive
2 means for municipal acceptance of roads constructed within a subdivision in accordance with a planning board
3 approved definitive plan, notwithstanding the provisions of G.L. Chapters 82 and 79 or any other general or special
4 law. The planning board, on request of a developer or on its own initiative, shall prepare a written certification that
5 a subdivision road has been laid out and construed in accordance with the board's rules and regulation and the
6 approved definitive plan. The board shall submit its certification, together with the original mylars of an acceptance
7 plan, in required form for recording at the Registry of Deeds, and an "as-built" plan to the city council or board of
8 selectmen. The city council or board of selectmen shall hold a public hearing, after first giving written notice by
9 first-class mail, postage prepaid, to the owner of record of each property abutting the road, as appears from
10 municipal records, and giving notice by publication in a newspaper of local circulation at least seven days prior to
11 the hearing. The purpose of the public hearing shall be to determine whether it is in the public interest to accept the
12 road, they shall so vote and cause to be prepared for recording at the local Registry of Deeds an Order of
13 Acceptance. The Order of Acceptance, together with the original acceptance plan, shall be recorded within thirty
14 (30) days following the vote and, upon recordation, shall operate to vest title to the road, together with all drainage
15 structures and other improvements, in the municipality with no additional notice or other action required. No owner
16 or interest holder of land abutting a road so accepted shall have any claim for compensation against the municipality
17 on account of said acceptance.